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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
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| 09/765,051 | 01/16/2001 | Alan R. Cohn | LIUI116895 | 7685 |

26389 7590 07/07/2004

CHRISTENSEN, O'CONNOR, JOHNSON, KINDNESS, PLLC
1420 FIFTH AVENUE
SUITE 2800
SEATTLE, WA 98101-2347

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| EXAMINER |
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REDMAN, JERRY E

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| ART UNIT | PAPER NUMBER |
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3634

DATE MAILED: 07/07/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/765,051

Applicant(s)

COHN ET AL.

Examiner

Jerry Redman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 59-68 is/are allowed.
- 6) ☐ Claim(s) 1-5, 7, 9-14, 16-29, 31-42, 44-52, 54, 56-58 and 69-78 is/are rejected.
- 7) ☒ Claim(s) 6, 8, 15, 30, 43, 53 and 55 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Claims 74-78 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter, which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. With respect to claims 74 and 75, there is no mention in the specification that "the front guide member is inclined relative to the rear guide member". With respect to claim 76, there is no mention in the specification where "the front and rear guide members remain stationary during movement of the door between the open and closed positions". With respect to claim 77, there is no mention in the specification of "by rotating the door such that the door pivots to transition the door from a plugged position in which a front edge and a rear edge of the door are disposed in an opening in a wall of the vehicle and an unplugged position wherein the rear edge is disposed outside the opening and the front edge remains within the opening". With respect to claim 78, there is no mention in the specification that "a rear guide means for guiding a rear edge of the door in a second direction inclined to the first direction as the door moves between the open and closed positions".

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 7, 9-14, 18-29, 31-42, 44-52, 54, 56-58 and 69-73 are rejected under 35 U.S.C. 103(a) as being unpatentable over Zweili ('769) in view of Springer et al. Zweili discloses an automatic reciprocating system comprising a plug assembly (24) operable to actuate the sliding door (5 and/or 7) between a plugged and unplugged position, link arms (88 and 90) rotating the door(s), and a drive assembly (21) for driving the doors to an open position. Zweili fails to specifically disclose a latch assembly and a sensor assembly. Springer et al. disclose a drive assembly for reciprocating doors comprising a latching member (28), and a control system (74) having a plurality of sensors (56, 58, 60, and 119) for sensing the position in which the door is in and whether the door is locked or unlocked. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Zweili with a latch and sensors as taught by Springer et al. since a latch provides the door(s) to be locked into a position where it cannot move thereby preventing injuries to people leaving the vehicle. It would have been further obvious to one of ordinary skill in the art at the time of the invention to provide Zweili with a control system utilizing sensors as taught by Springer et al. since sensors and a control system allows one to monitor the position of the door and whether the door is in a locked position.

Claims 2, 13, 14, 16 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Springer et al. in view of Zweili. Springer et al. disclose an automatic reciprocating system comprising a cable drive system (Figure 22) for driving doors (20 and 110) between an opened and closed locked position. Springer et al. fail to disclose the doors to be of a plug type assembly. Zweili discloses a drive assembly for plug type

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doors. It would have been obvious to one of ordinary skill in the art at the time of the invention to provide Springer et al. with a plug type door assembly as taught by Zweili since the plug type door assembly allows the doors to fit perfectly within an opening thus providing a smooth outer surface along the vehicle when the doors are in a closed and locked position.

Claims 6, 8, 15, 30, 43, 53, and 55 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 59-68 are allowable.


The applicant's arguments have been considered but are not deemed persuasive. In column 2, lines 43-45, "the base plates pivots, thereby moving or shifting the door operator base plate into and out of the car body door opening" and column 5, lines 10-15, "clockwise rotation of plugging levers 49 in pivotal motion around pivots 50 and links 55 and 53 moves the base plate 43 pivoting around points 50 of brackets 45 and 51 inward of the car side wall opening 2, thereby "plugging" the door into its opening". For the doors to reach a first point (in a closed position) and a second point (a partially or fully opened position), the doors move through a "corner" between the two points and are therefore "the doors are pivoted" therebetween. And in this case, the

movement is one continually movement and the door pivots about a pivot axis as the door moves between the open and closed position.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication should be directed to Jerry Redman at telephone number 703-308-2120.



Jerry Redman
Primary Examiner